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EXAMINER

FARKONDAR TONSEY, FARIMA

ART UNIT	PAPER NUMBER
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2681

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3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/753,415

Applicant(s)

STRIETZEL, JONATHAN

Examiner

Farima Farkhondar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Hidary, US Patent 5852775.

Regarding **claim 1**, Hidary discloses a wireless communication system (Figure 1), comprising: a radio interface (Fig.1); a plurality of terminals configured to play advertisements and to communicate voice and data over the radio interface (16 and 16a subscriber, 28 non subscriber in Fig 1); at least one network node configured to communicate with the plurality of terminals over the radio interface (column 4, lines 57-60), the network node including: a fixed network interface (column 4, lines 66-67); a telecommunications advertising means (column 1, lines 6-8) comprising an advertisement database (Elements 60, 62 and 66 of Memory bank 26 in Fig. 2) and a processing means coupled with the advertisement database (Ad server 24 coupled through microprocessor 50 and data bus 56 to the elements 60, 62 and 66 of memory bank 26 in Fig 2), the processing means configured to selectively associate at least one advertisement in the advertisement database with an incoming communication (column 3, lines 24-25); and a switching center coupled to the telecommunications advertising

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means (MTSO 12 coupled to AD server 24 in Fig 1), the switching center configured to route communications between the terminals (column 1, lines 44-50), to route communications from the terminals to fixed network users via the fixed network interface (column 1, lines 49-50), to route advertisements associated with a source of the incoming communication by the telecommunications advertising means to a terminal associated with the source (column 3, lines 52-54, also see Figure 4 for associating a message, and column 2 lines 51-52 where "subscriber 16 requests communication"), and to route advertisements associated with a destination of the incoming communication by the telecommunications advertising means to a terminal associated with the destination (column 4, line 13-25).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hidary as applied to claim 1 above, and further in view of Bryant, Jr., US patent 3684834.

Regarding **claim 2**, see the rejection of claim 1 regarding the subject matter this claim is dependant upon. Hidary does not disclose the advertisements associated with the source and/or destination of the incoming communication are

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used to replace a busy signal that would otherwise be sent to the source and/or destination. However, Bryant, Jr. discloses, "to enable the substitution of a busy signal for the recorded announcement (Column 11, lines 16 to 19)". Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to provide the above teachings of Bryant to Hidary in order to increase advertising time.

4. Claim 3 rejected under 35 U.S.C. 103(a) as being unpatentable over Hidary as applied to claim 1 above, and further in view of Farris et al., US Patent 6151491.

Regarding **claim 3**, see the rejection of claim 1 regarding the subject matter this claim is dependant upon. Hidary does not disclose that some or all of the terminals are configured to forward advertisements received by the terminals to other terminals within the wireless communication system. However Farris discloses, "The user is then presented with the option of sending and/or forwarding and/or broadcasting the received messages in Step T40. The mobile then determines whether the user has indicated that the message is to be forwarded and/or broadcast and/or sent in Step T42. The mobile then determines whether the user has indicated that the message is to be forwarded and/or broadcast and/or sent in Step T42" (column 32, lines, 24-29). Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to use the above teachings of Farris to Hidary in order to forward

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the advertisements to other terminals owned by friends or family that may be interested in the advertised products.

5. Claims 4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hidary as applied to claim 1 above, and further in view of Owensby, US Publication No. US2002/0077130.

Regarding **claim 4**, see the rejection of claim 1 regarding the subject matter this claim is dependant upon. Hidary does not disclose some or all of the terminals are configured to optionally connect, through the switching center to the source of any advertisement routed to the terminal by the switching center. However Owensby discloses "the subscribers of a wireless mobile communications service to interactively request and receive additional information relating to messages provided to the subscriber and to be connected to a telemarketing representative, or to respond to inquires from the operator of the service or the sponsor of the message" (lines1-7 of paragraph 37). Furthermore see Figure 1, for making the connection through the switching center. Therefore, at the time of the invention it could have been obvious to a person of ordinary skill in the art to add this feature in Owensby to Hidary, so that the user may contact and obtain information about the store from personnel at the store or make purchases.

Regarding **claim 9**, see the rejection of claim 4 regarding the subject matter this claim is dependant upon. Hidary does not disclose the wireless communication system of claim 4, further configured to allow the source and/or destination of the incoming communication to be connected to the source of an advertisement prior

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to completion of the incoming communication. However Owensby discloses, "insertion of an advertisement only prior to connection of the call or also at regular intervals during the call" (lines 16-18 of paragraph 63). Note intervals during call include the time prior to completion of the call. Furthermore, lines 1-7 of paragraph 37 states "Yet another object of the invention is to permit subscribers of a wireless mobile communications service to interactively request and receive additional information relation to messages provided to the subscribers and to be connected to a telemarketing representative, or to respond to inquires from the operator of the service other sponsor of the message". Therefore, at the time of the invention it could have been obvious to a person of ordinary skill in the art to add this feature as taught by Owensby to Hidary's system, to facilitate communications between the subscriber and the advertising sponsor.

6. Claims 5, 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hidary in view of Owensby as applied to claim 4 above, and further in view of Ogasawara, US Patent 6512919.

Regarding **claim 5**, see the rejection of claim 4 regarding the subject matter this claim is dependant upon. The combination of Hidary and Owensby do not disclose that some or all of the terminals are configured to navigate through information provided by the source of the advertisement once the terminal is connected to the source of the advertisement. However, Ogasawara does disclose the limitation above (column 9, lines 19-23 and lines 34-37). Therefore,

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at the time of the invention it could have been obvious to a person of ordinary skill in the art to add navigational features in Ogasawara to the system of Hidary and Owensby, in order to enable the subscriber to choose from different options a source of advertisement is offering.

Regarding **claim 6**, see the rejection of claim 4 regarding the subject matter this claim is dependant upon. The combination of Hidary and Owensby fails to disclose that some or all of the terminals are configured to facilitate purchasing of products or services once the terminal is connected to the source of the advertisement. However Ogasawara discloses, "The electronic shopping section 29 comprises some of those components of the present invention which are added to a contemporary wireless telephone so as to facilitate electronic shopping" (column 8, lines 18-20). He further discloses, "Alternatively, the purchaser might manually enter a credit card account number, expiration date and the like, into the wireless videophone using the keypad" (column 21, lines 51-53). Therefore, at the time of the invention it could have been obvious to a person of ordinary skill in the art to add this feature in Owensby to Hidary and Owensby, in order to facilitate the purchasing of products.

Regarding **claim 7**, see the rejection of claim 6 regarding the subject matter this claim is dependant upon. The combination of Hidary and Owensby fails to disclose that some or all of the terminals are configured to allow charge account information to be input into the terminal, and wherein the terminal provides the charge account information to the source of the advertisement to facilitate the purchasing of products or services. However Ogasawara discloses, "The

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wireless telephone 18 comprises a microprocessor 38 in communication with wireless telephone function electronics 40, display 42, keypad 44, input/output port 36, and IC card reader/writer 27. The microprocessor 38, wireless telephone function electronics 40, display 42, keypad 44, input/output port 36, and IC-card reader/writer 27 are all typical components of a contemporary wireless telephone" (column 7, lines 48-54). Furthermore, he discloses, "The IC-card reader/writer 27 is used to read and write to an integrated circuit (IC) card which contains user account information and may be used with a plurality of different compatible wireless telephones, generally so as to facilitate billing to a desired customer" (column 8, lines 10-14). Therefore, at the time of the invention it could have been obvious to a person of ordinary skill in the art to add this feature in Ogasawara to the system of Hidary and Owensby, to provide charge account information to the source for billing purposes in order to facilitate the purchasing of products.

7. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hidary in view of Owensby and in further view of Ogasawara as applied to claim 6 above, and even further in view of Baker, US Patent 6505046.

Regarding **claim 8**, see the rejection of claim 6 regarding the subject matter this claim is dependant upon. The combination of Hidary, Owensby and Ogasawara do not disclose that the telecommunication advertising means stores charge account information associated with each terminal, and wherein the telecommunications advertising means automatically supplies the charge

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account information to the source of the advertisement to facilitate purchasing of products or services. However Baker does disclose the limitation above (column 2, line 66 to column 3, line 6). Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art the modify of subscriber profile data base of Hidary's with the above teachings of Baker to also store charge account information, in order to facilitate purchasing by the subscribers without having to re-enter charge account information.

8. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hidary in view of Owensby as applied to claim 4 above, and further in view of Farris et al., US Patent 6151491.

Regarding **claim 10**, see the rejection of claim 4 regarding the subject matter this claim is dependant upon. The above Hidary and Owensby do not disclose that some or all of the terminals are configured to store a list of advertisements played during the completion of the incoming communication. However, Farris et al. discloses, "Thus, the present invention is not only able to store completely the data, voice mail and/or electronic mail messages on the handset, but is able to optionally supplement the messages received and forward the message and/or supplemental message to another destination" (column 34, lines 42-46). Therefore, at the time of the invention it could have been obvious to a person of ordinary skill in the art to modify the system of Hidary and Owensby with the above teachings of Farris to store the advertising messages, in order to more conveniently retrieve them without having to connect to the wireless network.

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9. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hidary in view of Owensby and further in view of Farris et al. as applied to claim 10 above, and even further in view of Baker, US Patent 6505046.

Regarding **claim 11**, see the rejection of claim 10 regarding the subject matter this claim is dependant upon. The combination of Hidary, Owensby and Farris do not disclose that some or all of the terminals are configured to connect to the source of an advertisement selected from the list of advertisements after the completion of the incoming communication. However, Baker discloses, " The outlet telephone number field is from the retail outlet record and can be turned off and on by the retailer. This field is intended to enable the subscriber to dial that store on the spot. In a two-way messaging system, the message can include an optional reply ..." (column 4, lines 45-50). Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to modify the invention of Hidary and Owensby and Farris, with the above teachings of Baker to allow the subscriber to call a selected advertising entity stored in its terminal, in order to facilitate communications between the subscriber and the advertising entity.

10. Claim 12 rejected under 35 U.S.C. 103(a) as being unpatentable over Hidary in view of Owensby as applied to claim 4 above, and further in view of Dowling et al., US Patent 6522875.

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Regarding **claim 12**, see the rejection of claim 4 regarding the subject matter this claim is dependant upon. The combination of Hidary and Owensby do not disclose, the wireless communication system of claim 4, further comprising a packet data server configured to interface the plurality of terminals to the Internet, and wherein some or all of the terminals are configured to optionally connect, through the packet data server, to the source of any advertisement routed to the terminal. However Dowling et al. discloses packet data server (Server 120, Figure 1, see also column 6, lines 12-15) configured to interface the plurality of terminals (Figure 1, mobile unit 105) to the Internet, (Figure 1, Internet 122) and wherein some or all of the terminals are configured to optionally connect, through the packet data server, to the source of any advertisement routed to the terminal (column 23, lines 57-63). Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to modify the system of Hidary and Owensby with the above teachings of Dowling, in order to provide packet data advertisements in addition to voice advertisements.

11. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hidary as applied to claim 1 above, and further in view of Ogawa et al., US patent 4868865.

Regarding **claim 13**, see the rejection of claim 1 regarding the subject matter this claim is dependant upon. Hidary does not disclose that the advertisements routed to the source of the incoming communication are played during at least one of the following points: prior to a ring back signal being applied to the source

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of the incoming communication; in place of ring tones associated with the ring back signal; in place of the ring back signal, and after the ring back signal, but before the source of the incoming communication is connected. However Ogawa et al discloses, "For instance, an RBT generator may be provided to send a pseudo ring back tone or the pseudo ring back tone may be replaced with another type of tone signal or a voice message that indicates the call being made" (column 10, lines 55-60). Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to modify the system of Hidary with the teachings of Ogawa, in order to further increase advertising opportunities when a communications are made between two terminals.

Regarding **claim 14**, see the rejection of claim 13 regarding the subject matter this claim is dependant upon. Hidary discloses advertisements routed to the destination of the incoming communication (column 4, line 13-25) are played prior to the source of the incoming communication being connected with the destination of the incoming communication (column 1, line 57-59).

12. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hidary as applied to claim 1 above, and further in view of Hymel et al., US patent 6157814.

Regarding **claim 15**, see the rejection of claim 1 regarding the subject matter this claim is dependant upon. Hidary does not disclose that at least a portion of the advertisement database is stored in each terminal in the plurality of terminals, and wherein the switching center routes a command provided by the

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telecommunications advertising means to the terminals indicating which advertisement to play. However Hymel teaches "the wireless subscriber unit 30 includes an advertisement memory 50 that stores a plurality of advertisement icons 52" (column 3, lines 16-18). Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to add this feature as taught by Hymel et al, to Hidary's invention, in order to allow subscribers to access the advertisement without having to connect the wireless network.

Regarding **claim 16**, see the rejection of claim 15 regarding the subject matter this claim is dependant upon. Hidary does not disclose that the portion of the advertisement database stored in the terminals is updated by the telecommunications advertising means over the radio interface. However Hymel et al. teaches, "The advertisement icons 52 in the advertisement memory 50, may be updated by the service provider sending update messages to the wireless subscriber unit 30, the message processor 36, upon receipt of an update message, will send a command to the advertisement manager 56 with the new advertisement icon data. The advertisement manager 56 then stores this new advertisement icon 54 into the advertisement memory 50 for later use" (column 4, lines 4-11). Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to add this feature as taught by Hymel et al, to the invention of Hidary, to update the advertisements any time the source of the advertisement wants to for example change promotional offers or offer new coupons.

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13. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hidary and further in view of Dowling et al., US Patent 6522875.

Regarding **claim 17**, Hidary discloses the invention to a wireless communication system (Figure 1), a telecommunications advertising means (column 1, lines 6-8) comprising an advertisement database (Elements 60, 62 and 66 of Memory bank 26 in Fig. 2) and a processing means coupled with the advertisement database (Ad server 24 coupled through microprocessor 50 and data bus 56 to the elements 60, 62 and 66 of memory bank 26 in Fig 2), the processing means configured to selectively associate at least one advertisement in the advertisement database with an incoming communication (column 3, lines 24-25); and to route advertisements associated with a source of the incoming communication by the telecommunications advertising means to a terminal associated with the source (column 3, lines 52-54, also see Figure 4 for associating a message, and column 2 lines 51-52 where "subscriber 16 requests communication"), and to route advertisements associated with a destination of the incoming communication by the telecommunications advertising means to a terminal associated with the destination (column 4, line 13-25). Hidary does not disclose the wireless communication system comprising: a packet data carrier; a plurality of terminals configured to communicate packet data over the packet data carrier; a packet data server configured to interface the terminals with the Internet, to route communications between the terminals and the Internet over the packet data carrier. Further more Hidary does not disclose the incoming communication is packet data. However, Dowling et al. discloses a packet data

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carrier Figure 1, see also column 6, lines 1-4); a plurality of terminals (Figure 1, Mobile Unit 105) configured to communicate packet data over the packet data carrier (column 6, lines 25-34); a packet data server (Server 120, Figure 1, see also column 6, lines 12-15, also column 8 lines 8-16) configured to interface the terminals with the Internet (Figure 1, Internet 122), to route communications between the terminals and the Internet over the packet data carrier (column 6, lines 16-17). Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to use the teachings of Dowling et al. and modify Hidary to include packet data, in order to maximize the capability of the advertising system by way of including incoming packet data communications.

14. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hidary in view of Dowling et al as applied to claim 17 above, and further in view of Owensby, Patent application publication number US 2002/0077130.

Regarding **claim 18**, see the rejection of claim 17 regarding the subject matter this claim is dependant upon. Hidary and Dowling et al. do not disclose some or all of the terminals are configured to optionally connect, through the packet data server to the source of any advertisement routed to the terminal by the packet data server. However Owensby discloses terminals are configured to optionally connect (paragraph 37, lines1-7), through the packet data server to the source of any advertisement routed to the terminal by the packet data server (although figure 1 does not explicitly show the packet data server it is inherent that the communications take place through a packet data server since Figure 1 is a

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C/PCS network, see also lines 1-6 of paragraph 3). Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to add the teachings of Owensby to Hidary and Dowling, so that the user may contact and obtain information about the store from personnel at the store or make purchases.

15. Claims 19, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hidary in view of Dowling et al. and in further view of Owensby as applied to claim 18 above, and even further in view of Ogasawara, US Patent 6512919.

Regarding **claim 19**, see the rejection of claim 18 regarding the subject matter this claim is dependant upon. Hidary, Dowling et al. and Owensby do not disclose that some or all of the terminals are configured to navigate through information provided by the source of the advertisement once the terminal is connected to the source of the advertisement. However Ogasawara does disclose the limitation above (column 9 lines 19-23 and lines 34-37). Therefore, at the time of the invention it could have been obvious to a person of ordinary skill in the art to add navigational features as taught by Ogasawara to the system of Hidary, Dowling et al. and Owensby, in order to enable the subscriber to use his terminal choose from different options a source of advertisement is offering. Regarding **claim 20**, see the rejection of claim 19 regarding the subject matter this claim is dependant upon. Hidary, Dowling et al. and Owensby do not disclose that some or all of the terminals are configured to facilitate purchasing of

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goods and services once the terminal is connected to the source of the advertisement. However Ogasawara discloses the limitation above, "The electronic shopping section 29 comprises some of those components of the present invention which are added to a contemporary wireless telephone so as to facilitate electronic shopping" (column 8, lines 18-21). He further discloses, "Alternatively, the purchaser might manually enter a credit card account number, expiration date and the like, into the wireless videophone using the keypad" (column 21, lines 51-53). Therefore, at the time of the invention it could have been obvious to a person of ordinary skill in the art to add this feature as taught by Ogasawara to Hidary, Dowling et al. and Owensby, in order to facilitate the purchasing of products.

Regarding **claim 21**, see the rejection of claim 20 regarding the subject matter this claim is dependant upon. Hidary, Dowling et al. and Owensby do not disclose some or all of the terminals are configured to allow charge account information to be input into the terminal, and wherein the terminal provides the charge account information to the source of the advertisement to facilitate the purchasing of goods and services. However Ogasawara discloses, "The wireless telephone 18 comprises a microprocessor 38 in communication with wireless telephone function electronics 40, display 42, keypad 44, input/output port 36, and IC card reader/writer 27. The microprocessor 38, wireless telephone function electronics 40, display 42, keypad 44, input/output port 36, and IC-card reader/writer 27 are all typical components of a contemporary wireless telephone" (column 7, lines 48-54). Furthermore, he discloses, "The IC-card

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reader/writer 27 is used to read and write to an integrated circuit (IC) card which contains user account information and may be used with a plurality of different compatible wireless telephones, generally so as to facilitate billing to a desired customer" (column 8, lines 10-14). Therefore, at the time of the invention it could have been obvious to a person of ordinary skill in the art to add this feature as taught by Ogasawara to Hidary, Dowling et al. and Owensby, in order to facilitate the purchasing of products and provide charge account information to the source for billing purposes.

16. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hidary in view of Dowling et al. and Owensby and in further view of Ogasawara as applied to claim 20 above, and even further in view of Baker, US Patent 6505046.

Regarding **claim 22**, see the rejection of claim 20 regarding the subject matter this claim is dependant upon. Hidary, Dowling et al., Owensby and Ogasawara do not disclose the telecommunication advertising means stores charge account information associated with each terminal, and wherein the telecommunications advertising means automatically supplies the charge account information to the source of the advertisement to facilitate purchasing of goods and services.

However Baker discloses the limitation above in column 2, line 66 to column 3, line 6. Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to modify the subscriber profile database of Hidary, Dowling et al., Owensby and Ogasawara with the above teachings of

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Baker, to also store charge account information, in order to facilitate purchasing by the subscribers where subscribers would not have to re-enter charge account information when making a purchase.

17. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hidary and further in view of Owensby., US Publication No. US2002/0077130. Regarding **claim 23** Hidary discloses a method of telecommunications advertising in a wireless communication system configured for voice communication between a source and a destination (Figure 1), the method comprising: storing a plurality of advertisements (Elements 60,62 and 66 of Memory bank 26 in Fig. 2); selectively associating one or more of said plurality of advertisements with a communication in the wireless communication system (column 3, lines 24-25); playing one or more advertisements through a terminal associated with the source or destination of the communication prior to connecting the source to the destination for purposes of completing the communication (column 1, lines 57-59). Hidary does not disclose connecting the terminal with a company associated with one of the one or more advertisements. However Owensby discloses this limitation in lines 1-7 of paragraph 37. Furthermore Hidary's invention has mainly been described for voice communications but Owensby's system is for a C/PCS network and includes data (lines 1-6 of paragraph 3). Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to modify Hidary's invention with Owensby to include data communications.

18. Claims 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hidary in view of Owensby as applied to claim 23 above, and further in view of Ogasawara, US Patent 6512919.

Regarding **claim 24**, see the rejection of claim 23 regarding the subject matter this claim is dependant upon. The combination of Hidary and Owensby fails to disclose permitting the terminal to browse information and/or products or services offered by the company. However Ogasawara discloses the limitation above (column 9, lines 19-23 and lines 34-37). Therefore, at the time of the invention it could have been obvious to a person of ordinary skill in the art to add navigational features of Ogasawara to the system of Hidary and Owensby, in order to enable the subscriber to choose from different options a source of advertisement is offering.

Regarding **claim 25**, see the rejection of claim 24 regarding the subject matter this claim is dependant upon. The combination of Hidary and Owensby fails to disclose permitting the terminal to purchase one or more products or services offered by the company. However, Ogasawara discloses, "Alternatively, the purchaser might manually enter a credit card account number, expiration date and the like, into the wireless videophone using the keypad" (column 21, lines 51-53). Therefore, at the time of the invention it could have been obvious to a person of ordinary skill in the art to add this feature of Ogasawara to the system of Hidary and Owensby in order to facilitate the purchasing of products.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farima Farkhondar whose telephone number is 703-305-6285. The examiner can normally be reached on 8:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on 703-305-4040. The fax phone numbers for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service whose telephone number is 703-306-0377.

Farima Farkhondar
Examiner
September 11, 2003



**NGUYEN T. VO
PRIMARY EXAMINER**